

**STATE OF IOWA
BEFORE THE BOARD OF COSMETOLOGY ARTS & SCIENCES**

IN THE MATTER OF:)	
)	CASE NO. CO 14-0253
This Is It, Inc. d/b/a Great Clips)	
License No. 008576)	
and)	
Denise Bradfield, Co-Owner)	STATEMENT OF CHARGES,
License No. 41566)	SETTLEMENT AGREEMENT AND
and)	
Tess Young, Co-Owner)	FINAL ORDER
and)	
Jon Buenneke, Co-Owner)	
)	
)	
RESPONDENTS)	

COMES NOW the Iowa Board of Cosmetology Arts and Sciences (Board) and This is it, Inc., d/b/a/ Great Clips, through its owners Denise Bradfield, Tess Young, and Jon Buenneke (Respondents), and hereby enter into this combined Statement of Charges, Settlement Agreement, and Final Order (Agreement & Order) pursuant to Iowa Code sections 17A.10, 272C.3(4), and chapter 645 Iowa Administrative Code (IAC) rule 12.1.

STATEMENT OF CHARGES

1. Respondents were issued license number 008576 to operate a salon in the State of Iowa on December 12, 2000. Respondents' salon license will expire on December 31, 2014.

2. Board records indicate that Respondents' salon is located at 550 36th Avenue, S.W., Altoona, Iowa, 50009.

3. The Board has jurisdiction over the parties and the matter pursuant to Iowa Code chapters 17A, 157, and 272C.

COUNT I - UNSANITARY PRACTICES

4. Respondents are charged under Iowa §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with engaging in unsanitary practices, in violation of Iowa Code § 157.6 (2013) and 645 §§ 63.13(2), 63.13(3), 63.13(5), 63.11(1), and 63.22.

COUNT II - FAILURE TO DISINFECT & PROPERLY STORE INSTRUMENTS

5. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with failing to properly disinfect and store instruments, in violation of 645 IAC § 63.13(2), 63.13(3) and 63.13(5).

COUNT III - FAILURE TO POST RULES AND REPORT

6. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with failing to properly post a copy of the most recent sanitation rules and inspection report (May 23, 2006) in the reception area at eye level in violation of 645 IAC § 63.2.

COUNT IV - FAILURE TO POST PROFESSIONAL LICENSES

7. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with failing to properly post license renewal cards in the reception

area at eye level in violation of 645 IAC § 63.3(3).

COUNT V - FAILURE TO ADHERE TO UNIVERSAL PRECAUTIONS

8. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with failing to practice universal precautions (washing hands), in violation of Iowa Code § 157.6 (2013) and 645 IAC § 63.11(1).

COUNT VI - FAILURE TO CONFORM TO PROFESSIONAL STANDARDS

9. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with failing to conform to the minimal standard of acceptable and prevailing practice in this state, in violation of 645 IAC § 65.2(2)(d).

FACTUAL CIRCUMSTANCES

10. On or about September 9, 2014, the following violations were documented.
11. The disinfectant containers at each station were extremely cloudy and dirty.
12. A current copy of the sanitation rules was not posted.
13. The inspection report from May 23, 2006, was not posted.
14. The clipper attachments at each station were soiled and covered with hair.
15. Investigator observed employees putting their clipper attachments in drawers without disinfecting them and without storing them in a covered container.

16. None of the employees were aware they had to disinfect their clipper attachments.

17. Investigators observed employees go from one client to another without washing their hands.

18. Employee AT did not have an active license posted.

19. None of the licenses were posted at the front of the establishment at eye level where the public could view them.

SETTLEMENT AGREEMENT AND FINAL ORDER

27. Respondents Denise Bradfield, Tess Young, Jon Buenneke and Great Clips agree to pay to the Board a civil monetary penalty of \$1,000.00 total. The funds shall be payable to the State of Iowa. Respondents shall remit full payment of the civil monetary penalty within 60 days of the date this Order is executed.

28. Managers and all employees of Great Clips shall complete two (2) hours of continuing education in the area of Iowa law and sanitation within sixty (60) days of the date this Order is executive. The two (2) hours of continuing education may not be used for license renewal.

29. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

30. By entering into this Agreement and Order, Respondents voluntarily waive any rights to a contested case hearing on the allegations contained in the Agreement and Order and voluntarily waives any objections to the terms of the Agreement and Order, including

the right to appeal.

31. This combined Agreement and Order, is voluntarily submitted by Respondents to the Board for consideration.

32. Respondents acknowledge they have a right to be represented by counsel in this matter.

33. Respondents agree that counsel for the State may present this Agreement and Order ex parte to the Board.

34. This Agreement and Order is subject to approval of the Board. If the Board fails to approve this Agreement and Order it shall be of no force or effect to either party.

35. This Agreement and Order shall be part of the Respondents' permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violation.

36. In the event Respondents violates or fails to comply with any of the terms of this Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend Respondents' licenses or to impose other licensee discipline in accordance with Iowa Code section 272C.3(2)(a).

37. This Agreement, and Order is a public record available for inspection and copying upon execution of the Agreement and Order in accordance with the requirements of Iowa Code chapter 22 and 272C.

38. The Board's approval of this Agreement and Order shall constitute a FINAL ORDER of the Board.

Wherefore, the terms and conditions of this Statement of Charges, Settlement

Agreement, and Consent Order are agreed to and accepted by the Iowa Board of Cosmetology Arts & Sciences and the Respondents.

Respondent(s)

Iowa Board of Cosmetology Arts & Sciences

Denise M Bradfield
By:

Joan Seifert
By: Chairperson

2-11-15
Date

4-6-15
Date

[Signature]
By:

2/11/15
Date

Tess A Young
By:

2/11/15
Date

cc: Denise Bradfield
Tess Young
Jon Buenneke
This Is It, Inc., d/b/a/ Great Clips
556 36th Avenue, S.W.
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